

PLANNING COMMITTEE: 21st January 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1286

LOCATION: 41 Alfred Street

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants (retrospective)

WARD: Castle Ward

APPLICANT: Mr W Agroh
AGENT: Planners & Architects

REFERRED BY: Director of Planning and Sustainability
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 REFUSAL for the following reason:

The proposed development does not provide adequate facility for cycle storage to serve the occupants detrimental to residential amenity contrary to Policy H1 of the West Northamptonshire Joint Core Strategy, saved Policy H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation SPD 2019, Parking Standards SPD 2019 and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

- 2.1 The proposal is for a change of use of an existing 2 bedroom flat to a 4 person House in Multiple Occupation (HIMO). The proposal is retrospective.
- 2.2 Vehicle parking is available to the rear but on an unallocated basis and is shared between all flats in the blocks (15 spaces serving 43 flats).

3 SITE DESCRIPTION

- 3.1 The site comprises a purpose built flat within a block of four. The immediate area is characterised by similar development. The property has no outdoor amenity space.

3.2 The original dwelling had a lounge, kitchen, bathroom and two bedrooms. Conversion has now taken place with three bedrooms provided and a kitchen and bathroom but no lounge. No dedicated cycle storage has been proposed.

4 RELEVANT PLANNING HISTORY

4.1 None.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies.

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraphs 49 has a presumption in favour of sustainable housing development.

Paragraph 50 seeks to deliver a wide choice of high quality homes to meet a wide range of differing housing needs.

Paragraph 108 promoting sustainable transport.

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy H1 - Housing Density & Mix & Type of Dwellings
Policy H5 - Managing the Existing Housing Stock
Policy S10 - Sustainable Development Principles
Policy BN7- Flood Risk

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

Policy E20 – Design
Policy H30 – Multi-occupation with a single dwelling

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Parking Standards SPD (November 2019)

Houses in Multiple Occupation SPD 2019

Proposals for HIMOs should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole, by not resulting in a concentration of similar uses, a material change or adverse impact on the character of the area, or more than 10% of HIMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities
- Provide adequate waste and recycling facilities and sufficient refuse storage
- Minimise flood risk
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 Private Sector Housing** – Based on the information provided the property would be suitable for occupancy of 4 people.
- 6.2 Local Highway Authority (LHA)** – The LHA is satisfied that that the two allocated parking spaces should be sufficient as the property is in a town centre location. Require the applicant to demonstrate secure cycle parking provision on a scaled drawing. (Note: no allocated parking spaces is provided as part of the application).
- 6.3 Northampton Partnership Homes** – Object due to intensification of the site and compounding issues of anti-social behaviour and that there is insufficient parking for additional households.

7 APPRAISAL

Principle of the development

- 7.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

Concentration of HIMO uses in the area

- 7.2 Records indicate that there are 2 existing HIMOs within a 50m radius of the application site. Including the application premises, this would give a concentration of 6.66% and therefore the proposal would not result in an over-concentration of such uses in line with the SPD.

Size of the property and facilities for future occupiers

- 7.4 All bedrooms and the kitchen are of sufficient size, when judged against the standards in the HIMO SPD.
- 7.5 Comments from Private Sector Housing indicate that the proposals meet their requirements. It is considered that the proposal would provide adequate amenity to serve the future occupiers.

Flood Risk

7.7 In respect of flood risk, the site is located outside the areas at risk of flooding.

Highways / Parking

- 7.2 The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the applicants must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays, and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.3 In this case no parking survey has been produced, however even if this was to show insufficient parking, it can be noted that the application site is in a sustainable location within 400 metres of several bus stops with buses stopping at intervals of 10 or 30 minutes.
- 7.4 The site is also located within 400m of local facilities on Wellingborough Road. In this regard, the proposal is considered to be in accordance with the requirements of the SPD in respect of parking considerations.
- 7.8 Within such areas, the SPD recommends that storage space should be provided which is accessible to cycle users. The property has no outdoor space, although the applicant has indicated that cycle storage can be provided within the storage area of the flat. However, site visit of the premises has reviewed that there is no dedicated cycle storage provided. Although there is an existing storage cupboard next to the front entrance of the flat, the storage cupboard is not of sufficient size to be able to accommodate four bicycles. In addition, for occupants to carry bicycles to the first floor through shared access is not considered to be convenient and accessible. The proposal is therefore considered to be unacceptable and contrary to development plan policy, the NPPF and the adopted Parking Standards SPD.
- 7.9 The Northamptonshire Parking Standards state that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. No on plot parking is available although there is a shared parking area for the block with 6 spaces, this being part of a total provision of 15 spaces in the area, serving 43 flats. The proposed development will produce a demand for 2 additional spaces than the current approved use, as a 2 bedroom dwelling would require 2 parking spaces. Following clarification that the property does not have allocated parking, the Local Highway Authority have confirmed that they are satisfied the property is in a sustainable location and raised no objections subject to details of cycle storage being provided. However, adequate cycle storage could not be provided in this instance.

Refuse Storage

- 7.9 The flats have a dedicated refuse cupboard at the ground floor which would be suitable for the proposed use.

Amenity

- 7.10 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

Other Matters

- 7.11 It has been confirmed that there is a clause in the lease of the flat, with Northampton Borough Council, which specifies that the property may only be used for occupation by a single household. The proposed use would be contrary to his clause. However, this would not represent a valid reason for the refusal of planning permission.

8 CONCLUSION

- 8.1 The proposed development would not provide adequate cycle storage facility to serve the occupants detrimental to residential amenity and contrary to development plan policy, NPPF and the adopted Parking Standards SPD. The application is recommended for refusal.

9. BACKGROUND PAPERS

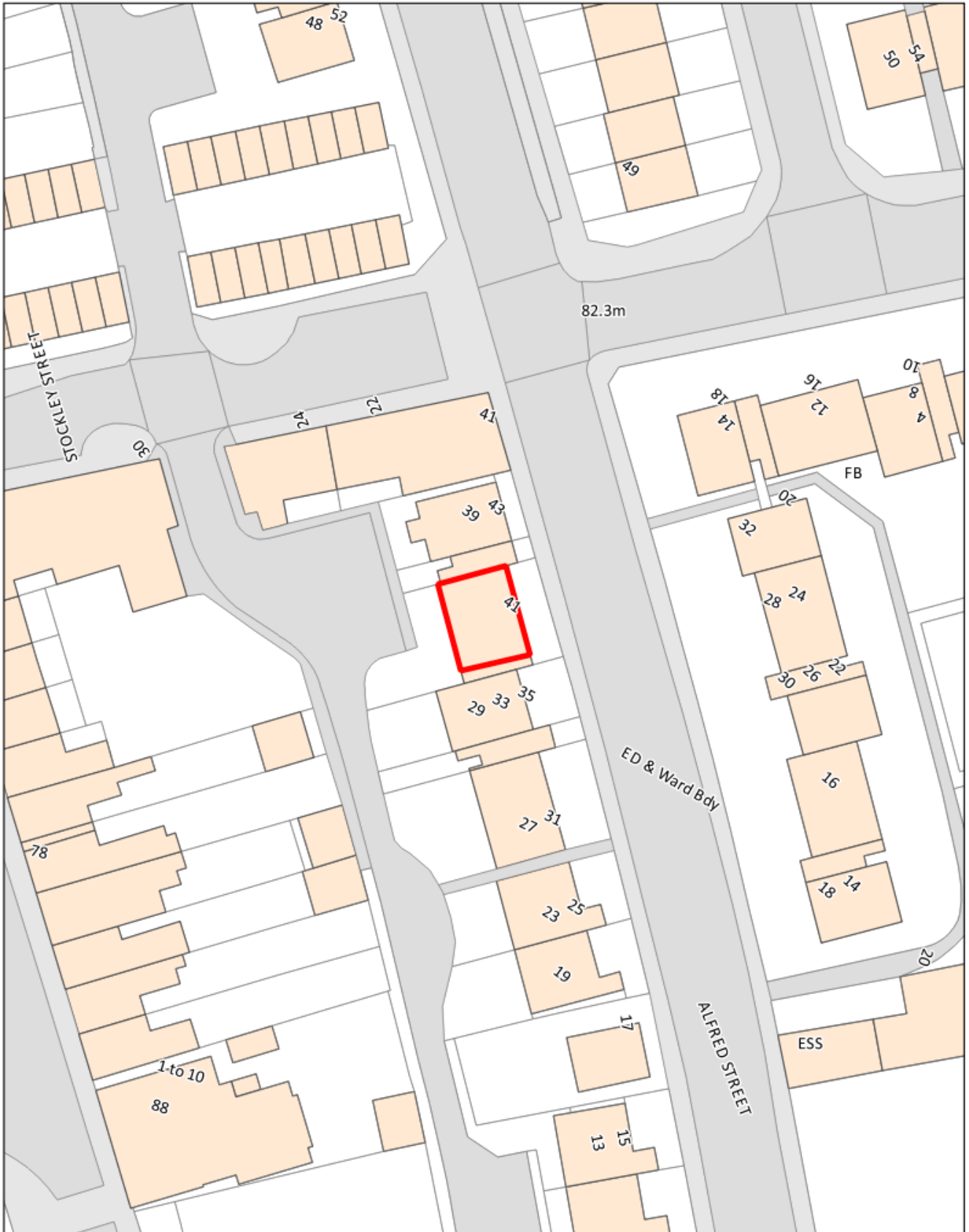
- 9.1 N/2019/1286.

10. LEGAL IMPLICATIONS

- 10.1 The development is not CIL chargeable.

11. SUMMARY AND LINKS TO CORPORATE PLAN

- 11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



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Date: 02-12-2019

Scale: 1:500

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